

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 2:23-cr-12

vs.

GOVERNMENT'S INITIAL PRETRIAL  
CONFERENCE SUMMARY STATEMENT

MATTHEW JOSEPH SHEEHAN,

Defendant. /

**I. DISCOVERY**

**A. Statements of Defendant**

1. Oral Statements [Rule 16(a)(1)(A)]

- ☐ There are no written records of oral statements or other oral statements as defined in Rule 16(a)(1)(A).
- ☒ There are the following written records of oral statements: statements given to MSP Tpr. Vargo and Sgt. Belonga on June 24, 2023.  
the substance of which  
☐ has been disclosed to defense counsel  
☒ will be disclosed to defense counsel when he provides USAfx account information.

2. Written or Recorded Statements [Rule 16(a)(1)(B)]

- ☐ There are no written or recorded statements or grand jury testimony of defendant.
- ☒ There are the following written or recorded statements or grand jury testimony: statements given to statements given to MSP Tpr. Vargo and Sgt. Belonga on June 24, 2023.

All written or recorded statements

- ☐ has been disclosed to defense counsel  
☒ will be disclosed to defense counsel when he provides USAfx account information.

**B. Defendant's Prior Record [Rule 16(a)(1)(D)]**

- ☐ The government has made due inquiry and is not aware of any prior criminal record.
- ☒ The government will disclose defendant's prior criminal history once USAfx account information is provided.
- ☐ The government is now making inquiry into defendant's prior criminal history. The results will be disclosed to defense counsel upon receipt.

C. Documents and Tangible Objects [Rule 16(a)(1)(E)]

- ☐ The government has no documents, tangible objects, or physical evidence required to be disclosed.
- ☒ The government has the following documents, tangible objects, and physical evidence:
  - ☒ Controlled Substances: methamphetamine, cocaine, MDMA, marijuana.
  - ☒ Drug Paraphernalia: Digital scale
  - ☐ Records:
  - ☐ Drug Records:
  - ☐ Firearms:
  - ☐ Inventory (attached)
  - ☒ Other: Photographs, patrol car and body cam videos, cell phone and data extraction, CSLI data, proof of residency.
- ☒ The government voluntarily notifies the defendant of the following search warrants issued and the warrant returns:
  - ☒ State: Iron County CSLI warrants dated June 6, 2023, and residential search warrant, dated June 25, 2023.
  - ☐ Federal (list case number and caption)
- ☒ They have been made available for inspection and copying by defense counsel.
- ☐ Defense counsel should make arrangements with undersigned government counsel.

D. Reports of Examinations and Tests [Rule 16(a)(1)(F)]

- ☐ The government has no reports of examinations or tests required to be disclosed by Rule 16.
- ☒ The government has or expects to have reports of the following examinations and tests:

<input checked="" type="checkbox"/> Drug Analysis	<input type="checkbox"/> Handwriting	<input checked="" type="checkbox"/> Fingerprints
<input type="checkbox"/> DNA	<input type="checkbox"/> Firearms/Nexus	<input type="checkbox"/> Gun Operability
<input checked="" type="checkbox"/> Computer Forensics/cell phone forensics	<input type="checkbox"/> Other:	

E. Reciprocal Discovery

- ☒ The government seeks reciprocal discovery.

F. Notice Under FRE 404(b)

- ☐ The government does not presently intend to introduce 404(b) evidence.
- ☒ The government does presently intend to introduce the following 404(b) evidence: evidence from the search of defendant's residence.
- ☐ The government will provide pretrial notice of 404(b) evidence by: \_\_\_\_\_.

Notice Under FRCP 16(a)(1)(G): The government hereby provides notice of its intent to call MSP forensic scientist Sarah Kozmor and MSP Computer Crimes Unit analysts Ryan Frazier and Andrea Johnston as opinion witnesses under FRE 702. Ms. Kozmor will testify about the drug analysis performed in this case. Analysts Frazier and Johnston will testify about

the forensic extraction of data from Defendant's cellular phone. A more detailed description in compliance with Fed. R. Crim. P. 16 will be provided at a later date.

G. Other Discovery Matters: None.

**II. TRIAL**

A. The government requests a ☒ jury ☐ non-jury trial.

B. Length of trial excluding jury selection is estimated at 2 days.

**III. MISCELLANEOUS**

- ☐ This case may be appropriate for expedited resolution.
- ☒ The government is unaware at this time of any known conflict with defendant's representation by counsel. The United States will immediately advise counsel if any such conflict becomes known.
- ☐ The government is aware of the following potential conflict(s):
- ☒ Government's plea negotiation policy: Any guilty plea must be entered at least 30 days prior to trial or before trial paperwork is due, whichever is earlier, for government to move for third acceptance point.

Date: November 21, 2023

Paul D. Lochner  
Assistant United States Attorney